



U.S. Department of Justice

*United States Attorney  
Eastern District of New York*

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JM:NMA  
F.#2011R01352

271 Cadman Plaza East  
Brooklyn, New York 11201

September 28, 2011

By Hand

The Honorable Kiyo A. Matsumoto  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

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Re: United States v. Anthony Ciliento  
Criminal Docket No. 11-651

Dear Judge Matsumoto:

We write to bring this matter to the Court's attention so that Your Honor may consider whether to transfer the above-captioned case of defendant Anthony Ciliento ("Ciliento") to Judge Cogan. In United States v. Christo, 10 CR 114 (BMC) ("Christo"), the defendant pled guilty to an information alleging, inter alia, his participation in a narcotics distribution conspiracy, in violation of 21 U.S.C. § 846. Christo, which was assigned to Judge Cogan, was initially sealed based upon the defendant's motion for reasons related to the defendant's safety. On September 26, 2011, the Court unsealed the docket at the request of the government. On September 20, 2011, the grand jury returned a two-count indictment in the instant case charging the defendant with participating in a narcotics distribution conspiracy, in violation of 21 U.S.C. § 846, and narcotics distribution, in violation of 21 U.S.C. § 841(a)(1).

Had the Christo case not been sealed, the government would have designated the instant case as related to Christo at the time of filing, pursuant to then-Chief Judge Dearie's Administrative Order dated February 27, 2008, since the instant case "involves the same specific conduct that is a subject of" Christo. In particular, Counts One and Two of the indictment in Ciliento relate to the same conduct that is the subject of Count One of the information in Christo. Moreover, many of the issues at trial in Ciliento's case will overlap with those in the Christo case, including the presentation of evidence regarding the years-long narcotics conspiracy and its participants. As a

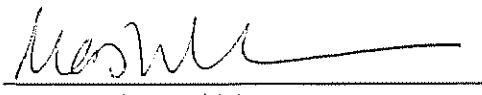
result, relation of the two cases is likely to result in a substantial saving of judicial resources.

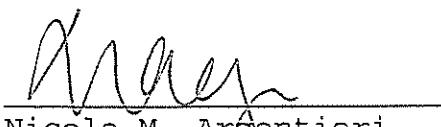
In conformity with Local Rule 50.3(e)'s requirement that related cases be assigned to the judge with the lowest docket number in the series of cases, the government respectfully requests that the Court consider transferring Ciliento to Judge Cogan, who is presiding over Christo.

Respectfully submitted,

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cc: The Honorable Brian M. Cogan (By Hand)  
Clerk of the Court (KAM) (By Hand)  
Edward McQuat, Esq. (By Facsimile)